

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

CHARLES E. GARNER

PLAINTIFF

VS.

CAUSE NO. 5:08-cv-00196-KS-MTP

CIGNA GROUP INSURANCE

DEFENDANT

ORDER DISMISSING AND SUBSTITUTING DEFENDANT

THIS CAUSE came on to be heard during the telephonic Case Management Conference on July 1, 2008, on the *ore tenus* Motion of the Plaintiff, joined by the Defendant Life Insurance Company of North America, incorrectly sued and named in the Complaint as "CIGNA Group Insurance," to dismiss "CIGNA Group Insurance" and to substitute in its place as the Defendant, *nunc pro tunc*, Life Insurance Company of North America, and the Court, finding that the Defendant is improperly named in the Complaint as "CIGNA Group Insurance," and that the proper Defendant, Life Insurance Company of North America, has appeared as the Defendant in this case and has answered, and being otherwise advised in the premises, finds that the Motion is well taken and should be granted.

IT IS, THEREFORE, ORDERED AND ADJUDGED that "CIGNA Group Insurance" is dismissed and the Defendant Life Insurance Company of North America is substituted in its place as the Defendant in this action, *nunc pro tunc*.

IT IS FURTHER ORDERED AND ADJUDGED that the Clerk of Court shall revise the docket in this action to show that the Defendant is Life Insurance Company of North America. All further pleadings and papers served and filed in this case shall be filed under the style "Charles E. Garner, Plaintiff vs. Life Insurance Company of North America, Defendant."

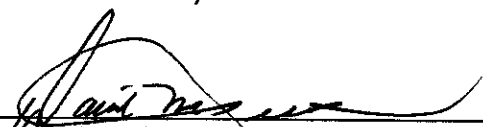
SO ORDERED AND ADJUDGED this the 21st day of January, 2009.


UNITED STATES DISTRICT JUDGE

APPROVED AND AGREED:

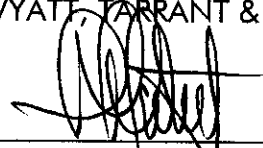
CHARLES E. GARNER

By: VARNER, PARKER AND SESSUMS, P.A.
His Attorneys

By: 
DAVID M. SESSUMS, ESQ.

LIFE INSURANCE COMPANY OF NORTH AMERICA

By: WYATT, TARRANT & COMBS, LLP

By: 
THOMAS C. GERITY, MSB #4799

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